

5/4/70

Dear Dick (cc Howard),

Urlets 28 arrived today. On cyanosis, I'll rewrite note along lines indicated in second letter you apparently had not received.

Nichols: telling him he could use material as he wished in suit is hardly identical with him copyrighting the work of others, as he seems to have done twice. If there may be question of motive, there can be none of integrity or honor. I agree that he is not giving thought to harm he can cause, and I suspect his ego makes this an impossibility.

It is quite true misidentification can by no means be his fault, but had he kept his word there would have been no possibility. Instead, he immediately proceeded to violate it. Here the lack of integrity is as elemental as it can possibly be. I have heard no further from Archives, on this or anything else.

Pne boards photos: he had gone much further than this by two years ago when he asked me to go there and warm up those whose help he wanted. He had these boards carefully sawed through so the track of the bullets were visible. It was a rather expensive nothingness.

While not a lawyer, I believe there is misunderstanding of copyright. I tried to tell John he could not when he first did, but he knew better. Not knowing the source, the granting of the copyright would be just about automatic. In order for it to be valid, it has to be put to a special use which is uniquely his, and then it is the use that is copyrighted, or it has to be an anthological copyright, which, quite obviously, a single photo cannot be. If HR intends to use, however, in any published work, I suggest the copyright is not the significant thing. If the concept were John's, the honorable course would be to regard it as any other work that is his, whether or not it is within the law to use it. However, I believe the distinction you make between study use and public use is valid.

Composition bullets: would it not also be correct to say that there are minute differences between runs of bullets of any manufacturer, though they may be and probably are minute?

6/5 mm fragment: I regard this as a major find by Howard and a major oversight by me. I agree, in general, with your comment, to which I add it may also explain something that has interested me for years and is unresolved by my getting the original FBI receipt for the "missle" removed by the doctors. I do not accept the Archives suggestion it is the two tiny ones of the exhibit. Those very small fragments are not "a missle".

Cartridge cases: if you are talking about the seeming faking of the alleged microscopic examination, I disagree. This is much more than making Frazier look bad. It is a federal frameup and a deliberately perjurious matter, assuming there is no microscopic comparison in the exhibit. You may recall our lengthy correspondence on this prior to our examination of the pictures.

Lung damage: I agree that HR should try and gather every bit of evidence on it, especially because no one else seems to be doing it. To settle it one way or the other is, in itself, important, and establishing it as a fact is of greater importance. Remember my Perry interview, his reason for second call. If you believe this is the reason or not, what he says "times said, I believe, may be relevant.

JBC chest X-rays: your recollection is correct, it is Shires, 6d111, as

I recall (an index will show). That testimony is that he ordered postoperative X-rays and it showed there. Recall he was in charge of the case. Perry tried to make little of this to me. I do not buy that. After the operations, JBC was Shires' patient. His testimony could not be more explicit and is uncontested. Therefore, his should be the best evidence. I believe this testimony is the reason he was not called to Washington to appear before the members, odd because ~~xxxx~~ he was both in charge and senior.

Wrist fragments: could have been shed anywhere after car, too, including, I would assume, in cleansing. However, Shaw's testimony on this is valuable. He said there was more metal missing in the wrist alone than can be said to be missing from all of 399. I also believe it can fairly be wondered if spectrographic analysis did shed any light on the source of the found fragments.

Cartridge cases: I know of nothing to contradict your opinion or your evaluation of John, but has he told you anything at all recently? If he discovered anything of value, paranoid as he has become, I think it not impossible he would not have told you. I have no knowledge either way. I believe I showed Board the dents we made and told him how Kodak (who is more than a buff, a dealer) immediately told us how he'd duplicate them before he did. If Nichols has done any work here, it simply duplicates, a simple matter and, apparently, a standard one with him.

If you are, as I agree, right in concluding, "Anyway, this will tell you something about Nichols", I think it might be informative and worthwhile to HR to indicate what. At the best, in my belief, it is but another of the many exemplars of a man who is dominated by an unnatural ego. I am unwilling to assume the best is the only interpretation, particularly with regard to me and my work in the area of his specialty, where in each case he has failed to come up with a single bit of it, despite scientific preparation and apparently limitless funds.

Minutiae: you are both right, though Dick's is the significant formulation. John lacks the most elementary understanding of the basic facts, as well as of the minutiae. Thus he required me to turn his people on two years ago.

As you know, we are entirely in accord on your opinion that the soundest and fastest way to get to the truth is to investigate the investigators, for this is and has been my approach from the first. However, I would go further and say that we also have no sound alternative at this juncture. We can make minor forays outside this, as I always have, but this remains the context.

Your opinion to HR of the value of what Nichols showed him closely coincides with the one I earlier expressed, which also makes me wonder more at the inefficiency and added cost of his seemingly strange (though it may be innocent) preservation of a hotel room an extra day and the travel to and from DC.

By the way, Bud disassociated himself from the Sprague foolishness in advance, despite the Wash Post story (I'd welcome any you may have on it). And what would your opinions be if you considered that only 38 pic were taken 11/22 and only 14 X-rays? Or another possibility, that 12 were taken later. Perhaps it would be better to say 12 or more. And Burke Marshall backs up Rhoads on shirt. I'll be writing him and sending you copies. And Howard, try and come up with that CD 47 bit before too late. The time may be now or even past. Explanation: while some of these reports originated in CD 47, not one of the copies purloined was from it. Nothing new in that area...Paul was here briefly and is in DC for a while. As of his visit, he had but double-checked some of my work. He had then spent but little time at Archives, in some areas, he is far and away best of all, and I expect him to concentrate in them. Thus far he has been here for an evening.

Sincerely, HW